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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/550,311	09/22/2005	You-Young Lee	58877-8003.US01	1757
22918	7590	04/28/2008		
PERKINS COIE LLP P.O. BOX 2168 MENLO PARK, CA 94026			EXAMINER CHAI, LONGBIT	
			ART UNIT	PAPER NUMBER
			2131	
			MAIL DATE	DELIVERY MODE
			04/28/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/550,311	Applicant(s) LEE, YOU-YOUNG	
	Examiner Longbit Chai	Art Unit 2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 September 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>9/22/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Applicant's claim for benefit of foreign priority under 35 U.S.C. 119 (a) – (d) is acknowledged.

The application is filed on 9/22/2005 but has a foreign priority application filed on 3/22/2003.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claims 1 – 2 are rejected under 35 U.S.C. 101 because the claim limitations are merely directed to information units and data structure; however, what to do with the information units in order to produce a useful result with practical usage in the real world is not recited in the claim and as such the claims are merely directed to non-statutory subject matters and it would not be eligible for patentability because it would be eligible for patentability if a practical application was present that produced a useful, concrete and tangible result upon execution of the instructions, according to MPEP §7.05.01.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Art Unit: 2131

3. Claim 5 is indefinite because the claim language "a client needs to transmit an encryption processing using the searched M_f.n combined information as a variable to create encrypted information, and transmitting the encrypted information to the client" has inappropriate antecedent basis for this limitation in the claim because the client is transmitting information to itself (note: a client ... the client).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraph of 35 U.S.C. 102 that forms the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1 – 5 are rejected under 35 U.S.C. 102(e) as being anticipated by Pare, Jr. et al. (U.S. Patent 5,870,723).

As per claim 1, Pare teaches a data transmission system using N-dimensional information, wherein the N-dimensional information comprises:

basic information unit File_f information (Pare: Column 52 Line 32 – 59: a database schema associated with a client) comprised of at least two layer information combinations among a top layer information T_f information (Pare: Column 52 Line 42 – 46: client / user name / ID is considered as a top layer information), a middle layer information M_f.n information related to the T_f information (Pare: Column 52 Line 36 – 37: a set of N x biometric data is considered as a middle layer information), and a bottom layer information B_f information

Art Unit: 2131

related to the T_f information or the M_{f.n} information (Pare: Column 52 Line 40: PIN (or password) is considered as a bottom layer information);

a data structure of the N-dimensional information comprised of the File_f information (Pare: Column 52 Line 32 – 59: a database is inherently constituted of a data structure); and

a storage for storing the data structure of the N-dimensional information (Pare: Column 47 Line 7).

As per claim 2, Pare teaches the top layer information T_f information is composed of information that is created by a keyboard/keypad or biometric terminals comprised in a Client system and Server System, respectively, and accessed through code information generated by the keyboard/keypad input or through biometric information of the client acquired from the biometric terminals (Pare: Column 52 Line 38: user biometric ID is, in general, considered as the top layer information); wherein the middle layer information M_{f.n} information is composed of n-dimensionally related middle layer information from M_{f.1} information to M_{f.n} information, the M_{f.1} information being lower layer information related to the top layer information T_f information (Pare: Column 52 Line 36 – 37: a set of specific N x biometric data is considered as a middle layer information) and the M_{f.n} information being upper layer information of the B_f information and M_{f.n-1} information being upper layer information of the M_{f.n} information (Pare: Column 52 Line 40: PIN (or password) is considered as a bottom layer information), and used as a variable for an encryption processing based on the N-dimensional information (Pare: Column 17 Line 28 – 51); and wherein the B_f information is composed of authentication information the client registers to the DB of the Server System (Pare: Column 4 Line 18 – 24 and Column 52 Line 13 – 18).

Art Unit: 2131

As per claim 3 and 4, Pare teaches a data transmitting methods using N-dimensional information, wherein an authentication processing of Server System comprises the steps of:

randomly extracting N-dimensional T_f information to create combined information and transmitting the combined information to Client System (Pare: Figure 17, Column 4 Line 29 – 42 and Column 6 Line 33 – 46: the seller randomly selects the buyer ID to offer the proposed commercial transaction and the combined information can be (e.g.) buyer ID, seller ID and etc.);

searching lower layer information M_{f.n} combined information related to the transmitted T_f combined information (Pare: Column 17 Line 28 – 51: the buyer extracts its corresponding biometric-PIN block information);

applying to the authentication information registered by a client an encryption processing using the searched M_{f.n} combined information as a variable to create encrypted information (Pare: Column 17 Line 28 – 51 / 49 – 51); and

if the encrypted information corresponds with the authentication information from the client, authenticating the client (Pare: Column 18 Line 2 – 5: the purpose of encryption is inherently meant for authentication).

As per claim 5, the claim limitations are met as the same reasons as that set forth in the paragraph above regarding to claim 3 with the exception of the feature that the data transmitting methods as recited in the claim is conducted between client systems instead of between a server and a client. However, Examiner notes (a) the client and the server by nature are merely relative terms which (e.g.) a server A of a client B could be also acted as a client of another system server C and as such both A and B are indeed the clients of the server C (b) Pare teaches a DPC (Data Processing Center) handles financial commercial transactions and buyer registration as the central site of managing the transactions between the buyer and the remote

Art Unit: 2131

seller (Pare: Column 33 Line 20 – 22 / Line 65 – 66) and hence the integral system components of the buyer, the seller and DPC, as taught by Pare, may also be considered as a set of clients and servers interchangeably as needed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Longbit Chai whose telephone number is 571-272-3788. The examiner can normally be reached on Monday-Friday 9:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Longbit Chai/

Longbit Chai Ph.D.

Primary Examiner, Art Unit 2131

4/20/2008